

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

DR 2000-013174

03/07/2012

HONORABLE BOYD W. DUNN

CLERK OF THE COURT

K. Alger

Deputy

IN RE THE MARRIAGE OF
MELISSA S VIZZERRA

MELISSA S VIZZERRA
811 W BRADFORD DR
GILBERT AZ 85233

AND

RICHARD C VIZZERRA

DENISE TOMAIKO

ALTERNATIVE DISPUTE
RESOLUTION - CCC
CONCILIATION SERVICES-SE
FAMILY COURT CONFERENCE
CENTER-SE
FINANCIAL SERVICES-BILLING-CCC

**EVIDENTIARY HEARING SET
ADR CONFERENCE SET
PARENTING CONFERENCE REFERRAL
FAMILY COURT CONFERENCE CENTER REFERRAL**

Courtroom 206

3:37 p.m. This is the time set for Resolution Management Conference regarding Respondent/Father's *Post-Decree Petition to Modify Child Custody, Parenting Time and Child Support* filed on October 14, 2011. Petitioner/Mother is present on her own behalf. Respondent/Father is present and is represented by above named counsel.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held regarding the issues in this matter.

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Pursuant to agreement of the parties,

IT IS ORDERED the parties shall participate in a **Parenting Conference**. The parties will be advised by separate minute entry of the name and telephone number of the Parenting Conference Provider and other relevant information regarding the Parenting Conference and Child Interview. The parties shall comply with all instructions and directives issued by the Provider.

IT IS FURTHER ORDERED directing the Parenting Conference Provider to provide a separate report regarding his or her findings based upon the Child Interview for the Court's review only, to be sealed until further order of the Court, and not to be seen by the parties.

THE COURT FINDS that both parties are unable to afford to pay the entire Parenting Conference Fee of \$300.00 per party today, but are eligible to make monthly payments pursuant to a payment plan.

IT IS ORDERED that each party shall pay \$50.00 per month toward the cost of the Parenting Conference.

WARNING

IF YOU FAIL TO APPEAR AT THE PARENTING CONFERENCE AS ORDERED, YOU MAY BE REQUIRED TO PAY A \$100.00 NO SHOW FEE. IF YOU CANNOT ATTEND, YOU MUST REQUEST AND BE GRANTED PERMISSION FROM THE JUDGE IN YOUR CASE TO RESCHEDULE THE CONFERENCE AT LEAST THREE FULL COURT DAYS BEFORE THE CONFERENCE. IF AN AGREEMENT IS REACHED PRIOR TO YOUR APPOINTMENT DATE, YOU MUST SUBMIT A REQUEST TO THE JUDGE TO VACATE THE CONFERENCE AND WAIVE THE FEE IN ORDER TO AVOID FEE COLLECTION.

IT IS FURTHER ORDERED referring this matter to the Family Court Conference Center for a child support arrearages calculation, including principal and interest, retroactive to the date of the original orders.

ISSUED: Acknowledgment and Notice of Parenting Conference (2)

Melissa Vizzerra and Richard Vizzerra are sworn.

IT IS ORDERED that the minor child shall participate in co-parenting counseling with a provider that will be covered by the insurance policy of one of the parties. This will be at

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minimal cost to the parties. Father shall pay the co-pays associated with the counseling, subject to reallocation. The parties shall utilize a counselor that is agreeable to the parties.

THE COURT FINDS that the parties have knowingly, voluntarily and intelligently entered into the agreement. The agreement is in the best interest of the child.

Pursuant to Rule 69, *Arizona Family Law Procedure*, and the agreement having been made in open Court,

THE COURT FINDS it is binding on the Parties and is entered on the record.

IT IS ORDERED affirming the Settlement Conference set for **July 12, 2012 at 9:30 a.m.** before Judge Pro Tempore Lance Venable. Counsel and/or the parties will receive a notice from ADR setting forth the necessary settlement conference information. **Counsel and/or the parties should notify ADR (602-506-7884) when the parties reach an agreement prior to the scheduled settlement conference.**

IT IS FURTHER ORDERED that by March 16, 2012, the parties shall exchange disclosure regarding documentation that supports the parties' respective claims for reimbursement regarding their payments for unreimbursed medical and dental expenses.

IT IS FURTHER ORDERED setting this cause for **Evidentiary Hearing** on **August 22, 2012 at 10:00 a.m.** before:

The Honorable Boyd W. Dunn
Southeast Judicial District
Courtroom 206
222 East Javelina Avenue
Mesa, Arizona 85210

Time Allotted: 2 hours

IT IS FURTHER ORDERED all discovery and disclosure shall be completed by **(twenty days)**

A **Joint Pre-Hearing Statement** shall be filed pursuant to Rule 6.8(b), Local Rules of Maricopa County (Domestic Relations Proceedings) no later than **August 15, 2012**. If the parties want to make an opening statement, it may be included in the Pretrial Statement. In addition, each party shall attach to the Pre-Hearing Statement:

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1. An updated affidavit of the current financial circumstances pursuant to Rule 6.7, Local Rules of Maricopa County.
2. A current and detailed inventory and appraisal of the property and assets of the parties.
3. A proposal of how the property and assets should be divided and the proposed disposition of each issue before the Court.
4. A Child Support Worksheet completed pursuant to the Statewide Child Support Guidelines. If a jointly prepared Worksheet is not filed, each party shall file a completed Child Support Worksheet.

Objections and pretrial motions not filed by **August 13, 2012** will be deemed waived. Postponements will be granted only in accordance with appropriate rules.

Failure of counsel or of any party to present a Pre-Hearing Statement in proper form including each and every attachment required shall, in the absence of good cause shown, result in the imposition of any or all available sanctions pursuant to Local Rule 6.2(e).

If this matter is settled and will proceed in the manner of a default, you may contact this division for an expedited hearing date.

Counsel are advised that if the presentation of evidence does not allow for closing arguments, the Court will direct the parties to submit written closing arguments. If time allows for closing arguments, the Court may hear closing arguments at that time.

IT IS ORDERED that no less than five (5) business days prior to the Hearing, the parties and, if represented, counsel shall provide to the clerk of this division any exhibits they shall seek to admit into evidence. **All exhibits must be clearly identified, separated by a COLORED sheet and hand delivered to the Clerk of this Division no later than 12:00 p.m. on August 15, 2012. All exhibits shall be hand-delivered directly to court staff at this Division's suite.** Exhibits shall not be presented for marking that have not been previously exchanged. No duplicate exhibits shall be presented for marking. **Failure to obey these orders may result in exclusion of the exhibit and/or waiver of objections.**

IF EITHER PARTY FAILS TO APPEAR FOR THE HEARING, THE HEARING MAY NEVERTHELESS PROCEED, AND RELIEF MAY BE ENTERED IN FAVOR OF THE PARTY WHO HAS APPEARED.

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IF BOTH PARTIES FAIL TO APPEAR, THE HEARING MAY BE VACATED AND/OR THE ACTION MAY BE DISMISSED.

NOTE: All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this Division **five (5) court business days** before the scheduled hearing.

NOTICE: A child should not be brought to the Courthouse to be present during a court proceeding except in the circumstance that the child is to be interviewed by the Judge in chambers or unless the child's presence is otherwise required for the court proceeding. Whenever a child is brought to the Courthouse, it is the responsibility of the party who brings the child to arrange for appropriate care and supervision of the child outside of the courtroom and judicial offices. The duties of Court personnel do not permit them to perform this function.

NOTICE

You may request conclusions of fact and law on the following issues, if they are contested: the issues of child custody, relocation requests, spousal maintenance, community property, community debt, and child support. To request conclusions of fact and law, you must file a written request with the court before the trial or the evidentiary hearing. If you make a written request before the trial or evidentiary hearing, the court will make conclusions of fact and law as part of the final decision.

If any party asks the court to make findings of fact and law on any issue, each party must file written proposed findings of fact and law on those issues. The proposed findings also must be submitted in an electronic form that is editable, preferably Microsoft Word. The proposed findings must be submitted with the Pretrial Statement.

IT IS ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

4:17 p.m. Matter concludes.

03/07/2012

/S/ HON. BOYD W. DUNN

Date

The Honorable Boyd W. Dunn
Judge of the Superior Court

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All parties representing themselves must keep the Court updated with address changes.
A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.